



February 13, 2009

SENATE BILL No. 164

DIGEST OF SB 164 (Updated February 10, 2009 3:02 pm - DI 106)

Citations Affected: IC 9-13.

Synopsis: Definition of relevant market area. Defines "relevant market area" for purposes of IC 9-23-3.

Effective: Upon passage.

Steele

January 7, 2009, read first time and referred to Committee on Rules and Legislative Procedure.

January 8, 2009, amended; reassigned to Committee on Corrections, Criminal and Civil Matters.

February 12, 2009, reported favorably — Do Pass.

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SB 164—LS 6417/DI 13+



February 13, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 164

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-151.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 151.5. "Relevant
3 market area", for purposes of IC 9-23-3, means the following:

4 (1) With respect to a:

5 (A) proposed new motor vehicle dealer in a county having a
6 population of more than one hundred thousand (100,000); or

7 (B) new motor vehicle dealer who plans to relocate the dealer's
8 place of business in a county having a population of more than
9 one hundred thousand (100,000);

10 the area within a radius of six (6) miles of the intended site of the
11 proposed or relocated dealer. The six (6) mile distance shall be
12 determined by measuring the distance between the nearest
13 surveyed boundary of the existing new motor vehicle dealer's
14 principal place of business and the nearest surveyed boundary
15 line of the proposed or relocated new motor vehicle dealer's
16 place of business.

17 (2) With respect to a:

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1 (A) proposed new motor vehicle ~~dealer in a county having~~
 2 ~~a population that is not more than one hundred thousand~~
 3 ~~(100,000); dealer; or~~
 4 (B) new motor vehicle dealer who plans to relocate the
 5 dealer's place of business in a county having a population
 6 that is not more than one hundred thousand (100,000);
 7 **business;**
 8 the area within a radius of ten (10) miles of the intended site of
 9 the proposed or relocated ~~dealer, or the county line, whichever~~
 10 ~~is closer to the intended site.~~ **dealer.** The ten (10) mile distance
 11 shall be determined by measuring the distance between the
 12 nearest surveyed boundary line of the existing new motor vehicle
 13 dealer's principal place of business and the nearest surveyed
 14 boundary line of the proposed or relocated new motor vehicle
 15 dealer's principal place of business.
 16 SECTION 2. An emergency is declared for this act.

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COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 164, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Corrections, Criminal and Civil Matters.

(Reference is to SB 164 as introduced.)

LONG, Chairperson

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Senate Bill No. 164, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 164 as printed January 9, 2009.)

STEELE, Chairperson

Committee Vote: Yeas 6, Nays 4.

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